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October 28, 2004
(Date of Transmission)

PRANK C. NICHOLAS (33.983)

Name of applicant, assignee or registered representance

Signature

October 28. 2004

Date of Signature

PATENT Case No. AUS920010927US1 (9000/82)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re patent | application of: | |
|----------------|-----------------------------|------------------------------|
| JAN | IES M. MCARDLE | Examiner: BULLOCK, L. A. JR. |
| Serial No.: | 10/042,494 | Group Art Hoir: 2126 |
| Filed: | JANUARY 9, 2002 | Group Art Unit: 2126 |
| Title: PAS | SSING PARAMETERS TO AN | |
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| ENVIRON | | |

RESPONSE TO OFFICE ACTION DATED SEPTEMBER 28, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22202-1450

Dear Sir:

This is a response to a non-final Office Action dated September 28, 2004.

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CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 – 7111 Facsimile 847 – 905 – 7113

Date:

OCTOBER 28, 2004

To:

EXAMINER BULLOCK, L. A. JR.

U.S. PATENT AND TRADEMARK OFFICE

Fax #:

(703) 746-7239

From:

FRANK C. NICHOLAS

Phone #:

(847) 424-2521

Client/Matter No.:

AUS920010927US1 (9000/82)

of Pages:

11

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| | | | | 1 | Attorney Docket No. | | | AUS920010927US1 (9000/82) | | | | | | |
| TRANSMITTAL | | | | | Application Number | | | 10/042,494 | | | | | | |
| FORM | | | | Ī | Fiding Date | | | JANUARY 9, 2002 | | | | | | |
| | | | | Ī | First Named Inventor | | | JAMES M. MCARDLE | | | | | | |
| | (to de used for all con | такроповлов афег | unsbal für | ag) | | Group Art Unit | | | 2126 | | | | | |
| | | | | | | Examiner | | | BULLOCK, L. A. JR. | | | | | |
| ENGLOSURES (check all that apply) | | | | | | | | | | | | | | |
| M | Ave | | | | Assig | Assignment Papers | | | | Appeal Communication to Board of Appeals and Interferences | | | | |
| | After Fine | | | | Draw | rawings: | | | | | oppeal Communication to Group Appeal Notice, Brief, Reply Brief) | | | |
| | Affidavits | | | | Grou | After Allowance Communication to Group | | | (Athete proves and using com) | | | | | |
| | | | | | Petinon Routing Skip (PTO/SB/69) and Accompanying Petinon | | | | | Proprietary Information | | | | |
| | Status Letter | | | | To Convert a Provisional Application | | | | | Post Card Receipt | | | | |
| | One-Month Petri Time Request (d | | on of | | Change of Correspondence Address | | | | Additional Enclosure(s) (please identify below): | | | | | |
| | Express Abandonment Request | | | | Terminal Disclaimer | | | | | | | | | |
| Supplemental Information Disclosure Statement, PTO-1449, art | | | | Small Entity Statement | | | | | | | | | | |
| Certified Copy of Priority Document(s) | | | | Request of Refund | | | | | | | | | | |
| Response to Missing Parts/ Incomplete Application | | | ⊠ | The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>09-0447</u> (IBM Corporation). A duplicate copy of this sheet is enclosed. | | | | | | | | | | |
| | | | | I hereby petition under 37 CFR § 1 136(a) for any extension of time required to ensure that this paper is timely filled. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447(IBM Corporation). A duplicate copy of this sheet is enclosed. | | | | | | | | | | |
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| | ···· | | SIGN | ATURI | OF A | APPLICANT, AT | то | rotal add'i fe RNEY, OR A | | , u , | | Mar about 100 | | |
| FRANK C. NICHOLAS or Registration No. 33,983 Individual name CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201 | | | | | | | | | | | | | | |
| Signature Date October 28, 2004 | | | | | | | | | | | | | | |
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| - CHARGE | Janes Fatelli 67 | 7/11 | 1/ | 1/ | | | | | | | | | | |
| Signature /// // FRANK C NICHOLAS (33,983) | | | | | | | Date | : <u>Q</u> | ctobe | 28, 2004 | | | | |

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TRANSMITTAL FORM

(to be used for an eprrespondence after initial filing)

| Attorney Docket No. | AU\$920010927U\$1 (9000/82) |
|----------------------|-----------------------------|
| Application Number | 10/042,494 |
| Filing Date | JANUARY 9, 2002 |
| First Named Inventor | JAMES M. MCARDLE |
| Group Art Unit | 2126 |
| Examiner | BULLOCK, L. A. JR |

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| | | ENC | LOSU | IRES (check | ill t | hat apply) | | | | | • |
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| | After Final | | Draw | vings | | i | Appeal C | | eai Co | Communication to Group | |
| | Affidavits/declaration(s) | | After Grou | Ajlowance Com | mut | nication to | | (Appeal No | | pupe, Bnef, Re | ply Brief) |
| | | | | on Routing Stip (Impanying Petitio | | 2/SB/69) and | | Propnetary I | | y information | |
| | Status Letter | | | ionvert a Isional Applicatio | n | | Post Card Receipt | | | | |
| | One-Month Petition for Extension of Time Request (dup) | | Cnar | nge of Correspon | den | ce Address | | | Enclosure(s) entify below) | | |
| | Express Abandonment Request | | Tem | ninal Disclaimer | | | | | | .· | |
| | Supplemental Information Disclosure Statement, PTO-1449, art | | Sma | iji Entity Stateme | епт | | | | | · <u>.</u> | |
| | Certified Copy of Priority Document(s) | | Request of Refund | | | | | | | | |
| | Response to Missing Parts/ Incomplete Application | | | The Commissioner is hereby authorized to charge any feet which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A duplicate copy of this sheet is enclosed. | | | | | | | |
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+ 300= +\$150= First Presentation of Multiple Dep. Claim total add'i fee \$ 0 total add'i fee \$0 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT FRANK C. NICHOLAS Firm Registration No. 33,983 CARDINAL LAW GROUP Individual name 1603 Omngron Avenue, Suite 2000 Evanston, il. 60201 Date October 28, 2004 Signature CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being transmitted to (703) 746-7239 to the October 28, 2004 United States Patent and Trademark Office on this date Date: October 28 2004 Signature

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FRANK C NICHOLAS (33,983)

Claims After

Amendment

Total